



FEMA

SENT VIA E-MAIL TO: 1107-87402023@requests.muckrock.com

FEB 28 2012

Mr. Michael Morisy

Re: **FEMA 12-314**

Dear Mr. Morisy:

This acknowledges receipt of your February 20, 2012, Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) which was subsequently forwarded to the Federal Emergency Management Agency (FEMA). Your request of any closing reports, reviews, or other post-operation updates made evaluating the effectiveness or success of the DHS readiness test performed in Somerville on July 26, 2007, at the Winter Hill Community School to test their emergency response to a major medical crisis. Your request was received in this office on February 21, 2012.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, 6 C.F.R. Part 5, the Department processes FOIA requests according to their order of receipt. Although FEMA's goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10-day extension of this time period. As your request seeks numerous documents that will necessitate a thorough and wide-ranging search, DHS/FEMA will invoke a 10-day extension for your request, as allowed by Title 5 U.S.C. § 552(a)(6)(B). If you care to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner; however, there are currently 396 open requests ahead of yours.

As it relates to your fee waiver request, your request will be held in abeyance pending the quantification of responsive records. The DHS FOIA Regulations, 6 C.F.R. § 5.11(k)(2), set forth six factors to examine in determining whether the applicable legal standard for a fee waiver has been met: (1) Whether the subject of the requested records concerns "the operations or activities of the government;" (2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities; (3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons; (4) Whether the contribution to public understanding of government operations or activities will be "significant;" (5) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and (6) Whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requestor. If any responsive records are located, we will consider these factors in our evaluation of your request for a fee waiver.

In the event that your fee waiver is denied, we shall charge you for records in accordance with the DHS Interim FOIA regulations as they apply to media requestors. As a media requestor you will be charged 10-cents a page for duplication, although the first 100 pages are free. You will be promptly notified once a determination is made regarding your fee waiver request.

We have queried the appropriate component of FEMA for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

Your request has been assigned reference number **FEMA 12-314**. Please refer to this identifier in any future correspondence. You may contact this office at (202) 646-3323 or electronically at FEMA-FOIA@dhs.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Bennett', with a stylized flourish at the end.

Dr. Anthony M. Bennett
Disclosure Branch Chief
Records Management Division
Mission Support Bureau